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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Interconnection and Resale Obligations)
Pertaining to Commercial)
Mobile Radio Service)

CC Docket No. 94-54 ✓

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COMMENTS OF WORLDCOM, INC.

WorldCom, Inc. ("WorldCom") hereby submits its Comments in support of the Association of Communications Enterprises ("ASCENT") Petition for Reconsideration of the Commission's *Fourth Report and Order* issued in the above-referenced proceeding on July 24, 2000.¹ In the *Order*, the Commission concluded that facilities-based commercial mobile radio service ("CMRS") providers are not required to provide direct interconnection between their networks and the switches of CMRS resellers. ASCENT's Petition requests that, even if the Commission upholds this ruling, it establish on reconsideration that it will consider specific requests for interconnection on the facts presented.

WorldCom is the largest reseller of wireless services in the United States, and is the only wireless reseller that operates on a national basis. WorldCom currently has over 1.7 million wireless service customers and has resale agreements with all of the major facilities-based CMRS providers. WorldCom supports ASCENT's Petition

¹ *Interconnection and Resale Obligations Pertaining to Commercial Mobile Radio Services, Fourth Report and Order*, CC Docket No. 94-54, FCC 00-253, released July 24, 2000, 65 Fed. Reg. 49530 (August 14, 2000)(summary)("Fourth Report and Order" or "Order").

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because (1) it correctly states that the Commission's *Order* was overly broad and thereby was inconsistent with Sections 201 and 332 of the Communications Act, and (2) the Commission's *Order* could result in WorldCom and other wireless resale carriers being unable to provide certain service offerings if interconnection is unavailable.

I. The Commission's Order Was Overly Broad.

In its *Fourth Report and Order*, the Commission determined that CMRS resellers do not have a right to interconnect directly with the networks of facilities-based CMRS providers. ASCENT seeks reconsideration of this conclusion, stating that it is too broad and eliminates the possibility of the Commission's considering whether individual requests from a reseller for interconnection with a facilities-based CMRS provider's network is in the public interest.

WorldCom agrees that the Commission's ruling is overly broad and does not allow for situations where a specific request for interconnection is in the public interest. The *Order* is thereby inconsistent with Sections 201 and 332 of the Communications Act. Section 201(a) imposes a duty on every common carrier to furnish communication service upon reasonable request, and, pursuant to Commission order "...where the Commission, after opportunity for hearing, finds such action necessary or desirable in the public interest, to establish physical connections with other carriers..."² This rule is applied to CMRS providers by Section 332(c)(1)(B) of the Act, which requires the

² 47 U.S.C. Section 201(a).

Commission to order common carriers to establish “physical connection” to CMRS providers pursuant to Section 201 of the Act.³

Although the Commission determined in the *Fourth Report and Order* that the public interest did not justify a rule requiring interconnection between facilities-based CMRS providers and resellers, it failed to consider that there might be specific circumstances under which such interconnection would be in the public interest. The Commission cannot be certain today that no set of facts will arise in the future for which the public interest would justify direct interconnection. This being the case, the Commission must allow CMRS resellers the opportunity to present individual requests for interconnection and must consider them based on the facts presented and on the public interest.

II. The Commission’s Order Will Prevent WorldCom and Other Wireless Resellers From Implementing Certain Services.

The services provided by WorldCom and other wireless resellers are important to the wireless market because they spur competition. Wireless resale is also essential to telecommunications service providers because it allows them to offer a broader range of services and service combinations, thus helping them maintain their competitive positions with respect to their facilities-based counterparts. This also benefits consumers who are provided with more economical and more diverse choices of bundled service offerings.

Currently, WorldCom provides wireless service only on a resale basis. As

³ 47 U.S.C. Section 332(c)(1)(B).

WorldCom develops its service offerings, however, it may wish to provide wireless service over a combination of resold and owned facilities, such as switches and terrestrial transmission facilities. Some of these new services will undoubtedly require WorldCom to interconnect its switches with the facilities-based CMRS providers. WorldCom is hopeful that such interconnection would be accomplished through a voluntary agreement between the parties, but in the event that it is not, WorldCom will be prevented from providing these new and innovative services.

For example, as a switchless reseller of wireless data transmission services, WorldCom can only offer its customers the services and features offered by its underlying carriers. If WorldCom elects to provide this service in the future using its own switches, interconnection would be necessary, and if it were denied, WorldCom's introduction of innovative data transmission services would be hampered.

Interconnection would also promote the introduction of new services by allowing WorldCom to incorporate its own features and functions into its resold services and to implement methods for improving the processes of subscribing new customers or adding features to a customer's account. For example, with direct interconnection, WorldCom would have access to real-time call and billing data, which would increase the efficiency of its billing and customer service functions.

The inability to obtain direct interconnection will not only prevent wireless resellers such as WorldCom from implementing new services now, but it will also deter the development of new services in the future. With the knowledge that interconnection may not be available, resellers might choose not to invest in developing new services which would be dependent on interconnection. This would be detrimental to

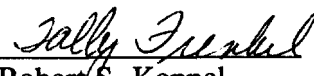
consumers, as there would be fewer choices available and less innovation in the wireless service market. To prevent this result, the Commission should allow for the consideration of specific requests for interconnection from wireless resellers. This will promote robust wireless resale offerings and enable non-facilities-based CMRS providers to contribute to growth and innovation in the wireless market.

III. Conclusion

For the reasons stated above, WorldCom requests that the Commission grant ASCENT's Petition for Reconsideration and establish that it will consider specific requests for interconnection based on the facts presented and the public interest, as required by Section 201(a) of the Communications Act.

Respectfully submitted,

WORLDCOM, INC.

By: 
Robert S. Koppel
Tally Frenkel
WorldCom, Inc.
1801 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
(202) 887-2255

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CERTIFICATE OF SERVICE

I, LaChelle Carpenter, hereby certify that I have this 11th day of October, 2000, sent a copy of the foregoing "Comments" by first-class, U.S. mail, postage prepaid to the following:

Thomas J. Sugrue, Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3-C252
Washington, D.C. 20554

James D. Schlichting, Deputy Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3-C254
Washington, D.C. 20554

Diane Cornell, Associate Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3-C220
Washington, D.C. 20554

Kris Monteith, Chief
Policy Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 5-A223
Washington, D.C. 20554

Peter Wolfe
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3-A101
Washington, D.C. 20554

Dorothy Attwood, Chief
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W., Room 5-C450
Washington, D.C. 20554

Linda Oliver
Attorney for ASCENT
Hogan & Hartson, LLP
555 Thirteenth Street, NW
Washington, D.C. 20004

Lewis J. Paper
Attorney for ASCENT
Dickstein, Shapiro, Morin & Oshinsky, LLP
2101 L Street, NW
Washington, DC 20037

David Gusky
Executive Vice President
ASCENT
1401 K Street, NW
Suite 600
Washington, DC 20005

International Transcription Services
2100 M Street, N.W.
Washington, D.C. 20036


LaChelle Carpenter